

**FEDERAL PUBLIC DEFENDER**

Southern District of Florida

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**Hector A. Dopico**  
**Federal Public Defender**

Location: Fort Pierce

**Helaine B. Batoff**  
**Chief Assistant**

May 30, 2025

Miami:

**Abigail Becker**  
**Christian Dunham**  
**R. D'Arsey Houlihan**  
**Bunmi Lomax**  
**Supervising Attorneys**

Helene Barthelemy  
Sowmya Bharathi  
Elisabeth Blair  
Ebony Blenman  
Micki Bloom  
Anshu Budhrani  
Paul Carson  
Michael Caruso  
Eric Cohen  
Tracy Dreispul  
MaeAnn Dunker  
Daniel L. Ecarius  
Sogol Ghomeshi  
Jean-Pierre Gilbert  
Alexandra Hoffman  
Srilekha Jayanthi  
Ashley Kay  
Evan Kuhl  
Ian McDonald  
Kate Mollison  
Leticia Olivera  
Ta'Ronce Stowes  
Marisa Taney  
Kate Taylor  
Victor Van Dyke

**John Shipley**  
Assistant United States Attorney  
Southern District of Florida  
99 NE 4th Street, Suite 826  
Miami, FL 33132

Re: *United States v. Ryan Routh*  
Case No. 24-cr-80116-AMC

Dear Mr. Shipley,

Pursuant to Federal Rule of Criminal Procedure 16(b)(1)(C), Southern District of Florida Local Rule 88.10(o)(3), the Court's Order Establishing Pretrial Deadlines (D.E. 91), and the Court's Order regarding the Live Fire Testing (D.E. 128), Mr. Routh provides the following supplemental synopsis of defense expert witness testimony of Michael A. McClay.

In addition to the Defense March 28, 2025 expert disclosure letter, Mr. McClay would also testify that on May 13, 2025, he conducted an operability test of the Norinco semi-automatic rifle, Model SKS, pursuant to D.E. 128. This testing was conducted at the Miami-Dade Public Safety (MDSO) Training Institute, 9601 NW 58<sup>th</sup> St., Doral, FL 33178 in the presence of FBI Agents and Defense Investigator Alan Gomez. The MDSO Training Institute provided the ammunition of a sealed box of Federal American Eagle 7.62 x 39mm, 124 grain centerfire rifle cartridges.

Under the continuous supervision and observation of those FBI evidence custodians, Mr. McClay took possession of the firearm and magazine. To comply with the Court's Order regarding the live fire operability testing only and in an abundance of caution in case the rifle's trigger mechanism were modified, only two of those 7.62 x 39mm

Ft. Lauderdale:

**Robert N. Berube**  
**Branch Supervisor**  
**Bernardo Lopez,**  
**Supervising Attorney**

Andrew Adler  
Huda Ajlani-Macri  
Janice Bergmann  
Brenda G. Bryn  
Timothy M. Day  
Allari Dominguez  
Margaret Y. Folds  
Sara Kane  
Jan C. Smith  
Wesley Wallace

West Palm Beach:

**Peter Birch,**  
**Branch Supervisor**

Robert E. Adler  
Lori Barrist  
Scott Berry  
Caroline McCrae  
Kristy Militello

Fort Pierce:

Kafahni Nkrumah  
Renee Sihvola

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**Miami**  
150 West Flagler Street  
Suite 1500  
Miami, FL, 33130-1555  
Tel: (305) 536-6900  
Fax: (305) 530-7120

**Ft. Lauderdale**  
One East Broward Boulevard  
Suite 1100  
Ft. Lauderdale, FL 33301-1842  
Tel: (954) 356-7436  
Fax: (954) 356-7556

**West Palm Beach**  
250 South Australian Avenue  
Suite 400  
West Palm Beach, FL 33401-5040  
Tel: (561) 833-6288  
Fax: (561) 247-7094

**Ft. Pierce**  
109 North 2nd Street  
Ft. Pierce, FL 34950  
Tel: (772) 489-2123  
Fax: (772) 489-3997

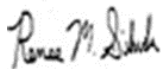
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cartridges were filled into the magazine. McClay loaded the magazine into the rifle, placed the weapon onto fire (position), and pulled the trigger. The rifle expelled the projectile into the berm and the bolt extracted the spent casing. As the bolt went forward to cycle the second round from the magazine, the cartridge misfed and jammed at the throat of the chamber. McClay verbally announced a misfeed, rendered the rifle safe, and confirmed the misfeed with the FBI Agent. McClay then removed the magazine and the misfired cartridge from the rifle. Defense then took the cartridge with damage into possession.

After the FBI agent retrieved that same box of ammunition from the table, McClay retrieved two new rounds to repeat the process. The same action occurred with the firing of the first cartridge and the same type of misfeed on the second cartridge. After the firing of the first round, McClay verbally announced a misfeed, rendered the rifle safe, and again confirmed the misfeed with the FBI Agent. McClay then removed the magazine and the second misfed cartridge from the rifle. Defense took this second misfed cartridge into possession. Both cartridges that failed to feed into the rifle chamber appeared to have the bullets compressed further into their casings when compared to the remaining ammunition. The FBI Agents collected the two expended casings.

Per the limitations of the Court's Order regarding the live fire testing of the aforementioned rifle for operability only, Mr. McClay would testify to his opinion that this firearm with the configuration of two cartridges loaded in this magazine would be operational for the first round. A second cartridge would likely continue to fail to feed into the chamber and therefore not be able to be fired. The failure to feed is likely to due to the magazine's ineffectiveness to properly feed the second cartridge into the chamber to complete the rifle manufacturer's designed cycle of action. Adequate magazines require appropriate spring tension for the entire capacity of the magazine, through all cycles of the action. Each round should have equal pressure of the spring so that the firearm is able to adequately chamber a cartridge. Additional testing would be required to rule out any other variables associated with the magazine.

Sincerely,



***Renee Sihvola***

Assistant Federal Public Defender  
Ft. Pierce  
Southern District of Florida